

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

NATIONAL SHOOTING SPORTS
FOUNDATION,

Plaintiff,

v.

No. 3:23-cv-2791-SMY

KWAME RAOUL,
in his official capacity as Attorney General of
Illinois,

Defendant.

**DEFENDANT’S MOTION FOR LEAVE TO FILE NOTICE OF SUPPLEMENTAL
AUTHORITY**

Defendant Kwame Raoul, Attorney General of the State of Illinois, pursuant to Local Rule 7.1(a)(6), respectfully requests leave to file notice of the attached supplemental authority in support of Defendant’s Opposition to Plaintiff’s Motion for Preliminary Injunction. In support of this motion, Defendant states:

1. On October 19, 2023, Defendant filed an Opposition to Plaintiff’s Motion for Preliminary Injunction. (Doc. 36.) That same day, Defendant filed a Motion to Dismiss under Rule 12(b)(1) and 12(b)(6). (Doc. 35.)

2. On June 21, 2024, the United States Supreme Court issued its opinion *United States v. Rahimi*, No. 22–915, 2024 WL 3074728 (June 21, 2024), a case considering the constitutionality of a federal statute prohibiting individuals subject to a domestic violence restraining order from possessing a firearm. In the opinion, the Court cites to *United States v. Salerno*, 481 U.S. 739 (1987), explaining that a facial challenge is the “most difficult to mount successfully” and must fail unless the “hypothetical faults [with the statute] occur in every case.” Opinion at 8, 17 n.2. The

standard applied in *Rahimi* is relevant to pages 5, 12, and 13 of Defendant's Opposition to Plaintiff's Motion for Preliminary Injunction, which cite *Salerno*. The *Rahimi* opinion is attached as Exhibit 1.

3. WHEREFORE, for the above and foregoing reasons, Defendant requests that this Court enter an order granting Defendant leave to file notice of the attached supplemental authority in support of his Opposition to Plaintiff's Motion for Preliminary Injunction.

Dated: June 24, 2024

Respectfully submitted,

KWAME RAOUL
Attorney General for the State of Illinois

By: /s/ Elizabeth B. Scott

Elizabeth B. Scott, No. 6333329
Assistant Attorney General
Office of the Illinois Attorney General
115 S. LaSalle St.
Chicago, IL 60603
Telephone: (773) 758-4609
Elizabeth.Scott@ilag.gov